

**MINUTES  
LANCASTER COUNTY BOARD OF EQUALIZATION  
TUESDAY, JANUARY 16, 2001  
COUNTY COMMISSIONERS CHAMBERS  
FIRST FLOOR, COUNTY-CITY BUILDING  
1:30 P.M.**

Commissioners Present: Kathy Campbell, Chair  
Larry Hudkins, Vice Chair  
Linda Steinman  
Bob Workman

Commissioners Absent: Bernie Heier

Others Present: Norm Agena, County Assessor  
Kerry Eagan, Chief Administrative Officer  
David Johnson, Deputy County Attorney  
Bruce Medcalf, County Clerk  
Gwen Thorpe, Deputy County Clerk

- 1) **MINUTES:** Approval of the minutes of the Board of Equalization meeting held on Tuesday, January 9, 2001. (A copy of these minutes is on file in the Office of the Lancaster County Clerk.)

**MOTION:** Hudkins moved and Steinman seconded approval of the minutes of the Board of Equalization meeting dated January 9, 2001. Campbell, Hudkins, Workman and Steinman voted aye. Motion carried.

- 2) **ADDITIONS AND DEDUCTIONS:**

**Approval of 64 additions and deductions to the tax assessment rolls per Exhibit A.**

**MOTION:** Workman moved and Steinman seconded approval. Campbell, Steinman, Hudkins and Workman voted aye. Motion carried.

3) **APPROVAL OF MOTOR VEHICLE TAX EXEMPTIONS:**

Christian Heritage Children's Home  
Fresh Start, Inc.  
Goodwill Industries Serving Southeast Nebraska, Inc.  
Nebraskans for Public Television, Inc.  
New Bethel Bibleway Apostolic Temple  
Southeast Nebraska Mobile Diagnostic Services, Inc.  
Wyuka Cemetery

**MOTION:** Steinman moved and Hudkins seconded approval of motor vehicle tax exemptions for Christian Heritage Children's Home, Fresh Start, Inc., Nebraskans for Public Television, Inc., New Bethel Bibleway Apostolic Temple, Southeast Nebraska Mobile Diagnostic Services, Inc. and Wyuka Cemetery and for Goodwill Industries Serving Southeast Nebraska, Inc. subject to the vehicle(s) being titled and registered to the applicant. Steinman, Workman, Campbell and Hudkins voted aye. Motion carried.

4) **APPEAL FILED ON PENALTY ASSESSED ON PERSONAL PROPERTY:**

**Four Ton Corporation**

Norm Agena, County Assessor, explained that Four Ton Corporation filed their personal property schedule on August 12, 2000. He stated a 25 percent penalty must be assessed according to Nebraska State Statutes.

**MOTION:** Steinman moved and Workman seconded to accept the County Assessor's recommendation and assess a 25 percent penalty against personal property for Four Ton Corporation.

Workman stated he feels they should review the penalty assessed against personal property in the future.

Hudkins agreed and noted that a 25 percent penalty for a first time filer seems excessive.

Agena stated a ten percent penalty is assessed between May 2<sup>nd</sup> and August 1<sup>st</sup>. After August 1<sup>st</sup> the penalty is assessed at 25 percent.

4) **APPEAL FILED ON PENALTY ASSESSED ON PERSONAL PROPERTY  
CONTINUED:**

In response to a question asked by Hudkins, Agena stated businesses are sent a notification if they do not file a personal property schedule.

**ROLL CALL:** Workman, Hudkins, Campbell and Steinman voted aye. Motion carried.

5) **ADJOURNMENT**

**MOTION:** Steinman moved and Workman seconded adjournment of the Board of Equalization meeting. Hudkins, Steinman, Workman and Campbell voted aye. Motion carried.

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Bruce Medcalf  
County Clerk

**MINUTES  
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Commissioners Present: Kathy Campbell, Chair  
Larry Hudkins, Vice Chair  
Linda Steinman  
Bob Workman

Commissioners Absent: Bernie Heier

Others Present: Kerry Eagan, Chief Administrative Officer  
David Johnson, Deputy County Attorney  
Bruce Medcalf, County Clerk  
Gwen Thorpe, Deputy County Clerk

- 1) **MINUTES:** Approval of the minutes of the Board of Commissioners meeting held on Tuesday, January 9, 2001. (A copy of these minutes is on file in the Office of the Lancaster County Clerk.)

**MOTION:** Steinman moved and Workman seconded approval of the minutes of the Board of Commissioners meeting dated January 9, 2001. Campbell, Hudkins, Workman and Steinman voted aye. Motion carried.

- 2) **CLAIMS:** Approval of all claims processed through Tuesday, January 16, 2001.

**MOTION:** Workman moved and Steinman seconded approval. Campbell, Steinman, Hudkins and Workman voted aye. Motion carried.

- 3) **SPECIAL PRESENTATIONS:**

A. The Commissioners Award of Excellence was presented to Nancy Nelson, an employee with Lancaster Manor, for the month of December.

3) **SPECIAL PRESENTATIONS CONTINUED:**

The Chair requested that items 3B and 3C be acted on together.

**B. An exceptional circumstance award for Kris Forch, an employee with the Jennie B. Harrell Attention Center for Youth, in the amount of \$500. (M-01-2)**

**C. An exceptional circumstance award for Lori Swanson, an employee with the Jennie B. Harrell Attention Center for Youth, in the amount of \$500. (M-01-8)**

**MOTION:** Hudkins moved and Steinman seconded approval of Special Presentation Items 3B and 3C. Workman, Hudkins, Campbell and Steinman voted aye. Motion carried.

**D. Recommendation of the Personnel Officer and the Corrections Department to grant exceptional circumstance awards, pursuant to Personnel Rule 17.14, to the following: Devin P. Banion, Kathleen Beall, Christopher L. Coulter, Tiffany L. Hill, Deann M. Duffek, Candace C. Jorgensen, Scott E. Bykerr, Cory J. Ostermeyer, Christine D. Schadeegg, Lindsey M. Fredrickson, Brian H. Waddel, Charles R. Murphy, Meredith Piskorski, Greg T. Sullivan, Roger N. Smith, Cornel D. Stemley, Brian T. Gange, Rashaan K. Douglas, Marvin K. Landgren and Paul F. Wilhite. (M-01-9)**

Diane Staab, Deputy County Attorney, stated two employee names listed in the agenda item were not read because one no longer works for the County and the other individual was promoted within the department (Paul F. Wilhite and Cory J. Ostermeyer). She explained pay changes were made during labor negotiations for a contract which went into effect August 24, 2000 which accelerated pay increases for new hires. Staab further stated new hires may actually be earning more money than a certain group of employees who were hired prior to the effective date of the contract. She added that the exceptional circumstance awards will correct the problem for the group of 18 individuals hired prior to the effective date of the labor contract.

**MOTION:** Steinman moved and Workman seconded approval. Steinman, Workman, Campbell and Hudkins voted aye. Motion carried.

4) **OLD BUSINESS:**

- A. An Intergovernmental Memorandum of Agreement between the State of Nebraska, Department of Health and Human Services and Lancaster County for providing community based residential and non-residential evaluations for youth of the Southeast Service Area, beginning January 1, 2001 and ending December 31, 2001. The County will be paid \$21,521 per month, beginning March 1, 2001 for the services provided. (C-01-21)

David Johnson, Deputy County Attorney, requested the item be held for one week. He noted that Health and Human Services has not sent a new contract based upon suggested changes made by his office.

**MOTION:** Steinman moved and Hudkins seconded to hold the contract for one week or until the County Attorney's Office places it back on the agenda.

In response to a question asked by Workman, Johnson stated no new services are being provided as outlined in the contract. He added that the effective date is one of the changes to be made.

**ROLL CALL:** Workman, Hudkins, Campbell and Steinman voted aye. Motion carried.

5) **NEW BUSINESS:**

- A. Applications for Special Events Permits from Lincoln Track Club to hold the following:
- ▶ Havelock Run on Saturday, May 19, 2001.
  - ▶ State Farm Run for Your Life Road Race on Saturday, March 31, 2001, beginning at 9 a.m.

Campbell noted there were no objections by the Sheriff, County Engineer or the Health Department.

**MOTION:** Hudkins moved and Steinman seconded approval. Campbell, Steinman, Workman and Hudkins voted aye. Motion carried.

5) **NEW BUSINESS CONTINUED:**

- B. Application for renewal of an amusement license from the Nebraska State Board of Agriculture to operate the Nebraska State Fair, horse, car, truck and motorcycle racing, simulcasting, ice hockey and skating, volleyball, car shows and other concerts, shows, sports and entertainment events at 1800 State Fair Park Drive.**

**MOTION:** Steinman moved and Hudkins seconded approval.

Campbell asked if any concerns or complaints had been filed in the County Clerk's Office regarding the renewal of the license.

The Clerk responded no.

**ROLL CALL:** Workman, Steinman, Campbell and Hudkins voted aye. Motion carried.

- C. An agreement with the State of Nebraska, Department of Roads for construction of a half diamond interchange with an eastbound entrance and westbound exit ramps from U.S. Highway 34 to Northwest 27<sup>th</sup> Street northwest of Lincoln. The County previously authorized and signed the agreement on November 21, 2000. (C-00-581)**

**MOTION:** Hudkins moved and Steinman seconded approval. Steinman, Hudkins, Workman and Campbell voted aye. Motion carried.

- D. Supplemental agreement number 2 with the State of Nebraska, Department of Roads regarding Project BRO-7055(98), Waverly Northeast, County Structure Numbers A-171 and A-172. The supplemental agreement will provide County employees to assist the State with supervision and inspection of the construction. The State will pay the County based upon actual costs. (The County executed the original agreement on January 5, 1999 and supplemental agreement number 1 on October 24, 2000.) (C-01-35)**

Don Thomas, County Engineer, explained that the agreement allows his department to conduct the inspection.

Workman asked if the bridges were located on North 162<sup>nd</sup> Street and if they would be completed by harvest time.

5) **NEW BUSINESS CONTINUED:**

Thomas responded yes.

**MOTION:** Steinman moved and Workman seconded approval. Workman, Campbell, Hudkins and Steinman voted aye. Motion carried.

**E. Supplemental agreement number 1 with the State of Nebraska, Department of Roads regarding Project SRR-55(132), Pawnee Lake-Northwest 84<sup>th</sup> Street for the resurfacing of Northwest 84<sup>th</sup> Street between U.S. Highway 6 and West Adams Street. The State will also remodel the bridge rail on State Highway Structure S080 39312 and pay costs. The County will budget \$24,558.33 for any costs not paid by State funds. (The County executed the original agreement on August 31, 1999.) (C-01-34)**

**MOTION:** Hudkins moved and Steinman seconded approval. Hudkins, Workman, Campbell and Steinman voted aye. Motion carried.

**F. An agreement with Norris Public Power District of Beatrice for adjustment of its facility on Pioneers Boulevard with regard to construction related to County Project C55-P-409(2), Pioneers Boulevard, South 98<sup>th</sup> Street to South 112<sup>th</sup> Street. The County's estimated cost is \$3,723.15 of the overall estimated cost of \$16,770.94. (C-01-33)**

**MOTION:** Hudkins moved and Workman seconded approval. Campbell, Steinman, Workman and Hudkins voted aye. Motion carried.

**G. A resolution in the matter of the annual salary increase for the Chief Deputy of the Sheriff's Office for calendar year 2001, effective December 28, 2000. (R-01-3)**

**MOTION:** Hudkins moved and Steinman seconded approval of Resolution 01-3. Hudkins, Campbell, Steinman and Workman voted aye. Motion carried.



5) **NEW BUSINESS CONTINUED:**

- H. Recommendation from Sinclair Hille to award a bid to Olsson Associates, in the amount of \$2,700, for a land survey of the new Lancaster County Election Commission building site located at 601 North 46<sup>th</sup> Street, Lincoln, Nebraska. (B-01-2)**

**MOTION:** Steinman moved and Workman seconded approval.

Workman stated the location of the new Election Commission Office would add to the Motor Vehicle Services facility on North 46<sup>th</sup> Street and would make it more of a campus area for County services.

Campbell asked about the projected move in date.

Hudkins responded that Dave Shively, Election Commissioner, had indicated they would move in June.

**ROLL CALL:** Campbell, Hudkins, Workman and Steinman voted aye. Motion carried.

- I. Authorization of Wells Fargo Bank, as Trustee, to disburse \$566,305.20 from the juvenile detention center bond proceeds to Cheever Construction Company for Pay Application Number 11 as general contractor for the Juvenile Detention Center. (M-01-10)**

**MOTION:** Hudkins moved and Steinman seconded approval. Campbell, Steinman, Hudkins and Workman voted aye. Motion carried.

- J. A refund request of real estate taxes from US Bank, on behalf of the Catholic Bishop of Lincoln, in the approximate amount of \$916.72 for 1998 and in the approximate amount of \$1,029.48 for 1999. (M-01-6)**

The Clerk noted that a credit for 2000 taxes should be included in the item.

5) **NEW BUSINESS CONTINUED:**

**MOTION:** Steinman moved and Hudkins seconded approval of a refund request of real estate taxes from US Bank, on behalf of the Catholic Bishop of Lincoln, in the approximate amount of \$916.72 for 1998, in the approximate amount of \$1,029.48 for 1999 and a credit for 2000 taxes. Steinman, Workman, Campbell and Hudkins voted aye. Motion carried.

**K. A political subdivision tort claim filed by Valerie Williams against the Corrections Department, in the amount of \$24, for lost property.**

**MOTION:** Steinman moved and Workman seconded to accept the Director's recommendation and deny the claim filed by Valerie Williams. Workman, Hudkins, Campbell and Steinman voted aye. Motion carried.

**L. A political subdivision tort claim filed against Lancaster County by Russell Barnes for damages.**

Richard McLain, attorney representing Russell Barnes, appeared and gave a brief explanation of the claim and suggested that Board review the adequacy of the medical facilities in the Corrections Department.

Russell Barnes, claimant, also appeared and gave a brief explanation of the claim.

David Johnson, Deputy County Attorney, stated he and Mike Thew, Chief Deputy County Attorney, had reviewed the tort claim and were recommending denial.

**MOTION:** Steinman moved and Workman seconded denial of the tort claim filed by Russell Barnes. Hudkins, Steinman, Workman and Campbell voted aye. Motion carried.

**M. Appointment of Renee Massie to the Community Mental Health Center Advisory Committee, beginning January, 2001 and ending December, 2004.**

**MOTION:** Steinman moved and Workman seconded approval. Steinman, Workman, Campbell and Hudkins voted aye. Motion carried.

- 6) **CONSENT ITEMS:** These are items of business that are routine and which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:
- A. **Receive and Place on File:**
    - 1. Lancaster Manor's Monthly Report.
    - 2. Register of Deeds Monthly Report for December, 2000.
    - 3. Sheriff's Report of Fees for December, 2000.
    - 4. Lincoln City Libraries Monthly Report for December, 2000.
  - B. **Setting of a public hearing for Tuesday, January 30, 2001 at 1:30 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building regarding revisions to the Lancaster County General Assistance Guidelines. (A copy of the proposed revisions is on file with the Lancaster County Clerk.)**
  - C. **A resolution in the matter of County Final Plat Number 99050, Hilltop Estates 1<sup>st</sup> Addition, creating eight residential lots and one outlot for open space on property generally located at the northeast corner of South 82<sup>nd</sup> Street and Pella Road in Lancaster County, Nebraska. (R-01-2)**
  - D. **A subdivision agreement with Bill G. Carlson for County Final Plat Number 99050, Hilltop Estates 1<sup>st</sup> Addition, generally located at the northeast corner of South 82<sup>nd</sup> Street and Pella Road in Lancaster County, Nebraska. (C-01-32)**
  - E. **Request from James J. Shotkoski, an employee in the County Engineer's Department, to voluntarily participate in the Lancaster County Retirement Plan. (M-01-7)**

6) **CONSENT ITEMS CONTINUED:**

F. Right-of-way contracts between the County Engineer and the following relating to road improvements:

- ▶ Glen L. and Nancy A. Muehlhausen, in the total amount of \$7,500.42, at Northwest 12<sup>th</sup> Street and West Davey Road; Project C55-C-407(1). (4 contracts) (C-01-27 through C-01-30)
- ▶ Todd A. and Lisa Ann Hornung, in the total amount of \$2,654.45, on South 54<sup>th</sup> Street from Roca Road to Saltillo Road; Project C55-S-405(1). (2 contracts) (C-01-25 and C-01-26)
- ▶ Jeffrey R. and Mary Anne Vonk, in the total amount of \$4,568.06, on South 54<sup>th</sup> Street from Roca Road to Saltillo Road; Project C55-S-405(1). (2 contracts) (C-01-23 and C-01-24)

G. An addendum to a right-of-way contract (C-00-560) with Winifred D. Williss on Fletcher Avenue from Bridge H-60 to North 148<sup>th</sup> Street to add \$1,304 to the approved contract total; Project C55-H-409(1). (This amount was included on the executed contract, but was omitted from the approved contract total. The original contract was approved on November 14, 2000.) (C-01-22)

**MOTION:** Hudkins moved and Workman seconded approval of the Consent Items. Workman, Hudkins, Campbell and Steinman voted aye. Motion carried.

7) **OTHER BUSINESS:**

Mike Morosin, citizen, appeared and gave a brief overview of the process used by the Corrections Department in filing a request form.

8) **ADJOURNMENT**

**MOTION:** Steinman moved and Hudkins seconded adjournment of the Board of Commissioners meeting. Campbell, Steinman, Workman and Hudkins voted aye. Motion carried.

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Bruce Medcalf  
County Clerk